

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOCKHEED MARTIN TRANSPORTATION
SECURITY SOLUTIONS, AN OPERATING UNIT
OF LOCKHEED MARTIN CORPORATION,

Plaintiff,

09 CIV 4077 (PGG) (GWG)

-against-

ECF CASE

MTA CAPITAL CONSTRUCTION COMPANY
and METROPOLITAN TRANSPORTATION
AUTHORITY,

Defendants.

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA, FEDERAL
INSURANCE COMPANY, and SAFECO
INSURANCE COMPANY OF AMERICA,

09 CIV 6033 (PGG) (GWG)

Plaintiffs,

**NOTICE OF MOTION IN LIMINE
TO PRECLUDE THE ADMISSION OF
REPORTS OF MTA'S PURPORTED
EXPERTS AS EVIDENCE**

-against-

METROPOLITAN TRANSPORTATION
AUTHORITY, MTA CAPITAL CONSTRUCTION
COMPANY, NEW YORK CITY TRANSIT
AUTHORITY and LOCKHEED MARTIN
CORPORATION,

Defendants.

PLEASE TAKE NOTICE that, upon all the pleadings and proceedings herein, Plaintiff
Lockheed Martin Corporation by its attorneys, will move this Court before the Hon. Paul G.
Gardephe, in the United States District Court for the Southern District of New York, 40 Foley
Square, New York, NY, at a date and time to be determined, for an order granting a motion in

limine to preclude the admission of reports of Defendants MTA Capital Construction Company's and Metropolitan Transportation Authority's purported experts as evidence (Exhs. MTAX1053 (6/17/2011 Safir Report); MTAX1074 (11/6/2012 Safir Report); MTAX1054 (6/21/2011 Reith Report); MTAX1055-1059 and 1059.1 (Appendices to 6/21/2011 Reith Report); MTAX1077 (12/7/2012 Reith Report); MTAX1076 (Hughes 12/7/2012 Report); MTAX1066-1071, 1075 (PMA (Jentzen and/or Fredlund) Reports and supporting materials)); and granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the scheduling order in this case, opposition papers, if any, shall be served and filed on or before August 15, 2014.

Dated: New York, New York
August 4, 2014

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Attorneys for Plaintiff and
Co-counsel for Sureties

By: /s/ Nicole Woolard

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